

MODEL CODE OF CONDUCT FOR LOCAL BODY ELECTIONS

STATE ELECTION COMMISSION

ARUNACHAL PRADESH

ITANAGAR

No.AP/ SEC-21/2002

Dated: Itanagar, the 25th April 2008.

MODEL CODE OF CONDUCT FOR LOCAL BODY ELECTIONS

With a view to ensure holding of free, fair and peaceful elections to all the Gram Panchayat, Anchal Samiti and Zilla Parishad Constituencies in the State of Arunachal Pradesh and in exercise of the powers conferred under Article 243-K of the Constitution of India and Section 104 of the Arunachal Pradesh Panchayati Raj Act, 1997, the State Election Commission of Arunachal Pradesh do hereby issues the following Codes of Conduct for the guidance and adherence by all concerned with immediate effect till the on going election processes are over.

CODE OF CONDUCT

1. It shall apply to Political Parties, Contesting Candidates, Ministers, Employees of the State Government and local bodies and other public servants connected with local body elections.
2. This Code shall come into force from the date of issuance of election notification.
3. There shall be no appeal to Religion, Communal or Caste feelings for securing votes.
4. Places of worship such as Temples, Mosques, Churches, etc., shall not be used as forum for election propaganda.
5. No criticism of any aspect of candidates private life which is not connected with his public life shall be made nor any allegation be made which are based on unverified facts or incidents.

6. Criticism of a political party, when made, shall be confined to its policies and programmes, past record and works and shall not be based on unverified allegations.
7. Organizing demonstration or picketing before the houses of individuals by way of protesting against their opinion or activity shall not be resorted to under any circumstances.
8. All parties and candidates shall scrupulously avoid all activities which are corrupt practices and offences under the Election Law such as:
 - (i) To appeal for vote or not to vote on the basis of religion, caste or community and to use any religious symbol for soliciting votes.
 - (ii) To print or publish any poster, pamphlet, leaf-let, circular or advertisement without mentioning the name and address of the printer and the publisher.
 - (iii) To publish a statement or news item which is false or not believed to be true with respect to a candidate's personal conduct or character with a view to adversely affect the prospect of his or her election.
 - (iv) To obstruct or disturb any election meeting organized by another political party or candidate.
 - (v) To take out processions or hold public meetings during the period of ;-
 - (a) Forty-eight hours ending with the hours fixed for the close of the poll.
 - (b) Forty -eight hours prior to the hour fixed for the conclusion of the poll in the case of elections to Zilla Parishads , Anchal Samiti and Gram Panchayats.
 - (vi) To bribe or offer reward in any form to voters.
 - (vii) To canvas or to appeal for votes within hundred meters of a polling station.
 - (viii) To use any conveyance or means of transport for the voters to or from the polling station.

- (ix) To behave in an unruly manner within or near about the polling station or to obstruct a polling officer in the discharge of his duty.
- (x) To impersonate a voter or attempt to cast vote under the false name of voter.

9. No party or candidate shall permit their followers for using any private property/

public property for erecting flag staffs, pasting notices, posters or slogans etc., or suspending banners without written permission from the owner/competent authority of the property concerned. Further, a copy of such written permission shall forthwith be sent to the Election Officer/District Election Authority/District Magistrate.

10. No candidate or his workers shall remove or deface the flag erected or posters pasted by another candidate or political party.

11. On the polling day, all political parties and candidates shall :-

- (a) Supply to their authorized workers suitable badges or Identity cards.
- (b) Refrain from serving or distributing liquor within the polling area during the period of forty-eight hours fixed for conclusion of the poll and also on the counting day.
- (c) Not allow unnecessary crowds to be collected near the camp set up by the political parties and candidates near the polling stations so as to avoid confrontation and tension among workers and sympathizers of the parties and candidates.
- (d) Co-operate with the authorities in complying with the restrictions to be imposed on the plying of vehicles on the polling day and obtained permits for them which should be displayed prominently on those vehicles.

12. The identity slips given to voters shall be on plain (white) papers and shall not contain any symbol or name of the candidate. The name of the voter, his father's/husband's name, ward number, polling booth number and the serial number of the voter in the electoral roll shall only be written on the identity slip.

13. Every candidate and the political party shall co-operate with the Officers on Election Duty to ensure peaceful and orderly polling.
14. No party or candidate shall hold public meetings or processions without obtaining necessary permission from the competent Local Authorities.
15. A party or candidate organizing a procession shall decide before hand the time and place of the starting of the procession, the route to be followed and the time and place at which the procession will terminate. There shall ordinarily be no deviation from the programme.
16. The organizers of the procession shall give advance intimation to the local police and administrative authorities of the programme so as to enable the latter to make necessary arrangements.
17. The organizers shall ascertain if any restrictive orders are in-force in the localities through which the procession has to pass and shall comply with the restrictions unless exempted specially by competent authority. Any traffic regulations or restrictions shall also be carefully adhered to.
18. The organizers shall take steps in advance to arrange for passage of the procession so that there is no block or hindrance to traffic. If the procession is very long, it shall be organized in segments of suitable lengths, so that at convenient intervals, especially at points where the procession has to pass road junctions, the passage of held up traffic could be allowed by stages thus avoiding heavy traffic congestion.
19. Processions shall be so regulated as to keep as much to the right of the road as possible and the direction and advice of the police on duty/Magistrate shall be strictly complied with.
20. If two or more political parties or candidates propose to take processions over the same route or parts thereof at about the same time, the organizers shall establish contact well in advance and decide upon the measures to be taken to see that the processions do not clash or cause hindrance to traffic. The assistance of the local police/Magistrate shall be availed of for arriving at a satisfactory arrangement. For this purpose, the parties shall contact the police/Magistrate at the earliest opportunity.

21. The political parties or candidates shall exercise control to the maximum extent possible in the matter of processionist carrying article which may be put to misuse by undesirable elements, especially in moments of excitement.
22. The carrying of effigies purporting to represent members of other political parties or their leaders, burning such effigies in public and such other forms of demonstration shall not be countenanced by any political party or candidate.
23. No party or candidate shall use loud speakers without obtaining necessary permission from the Competent Authority and shall not use the loudspeaker for purposes other than transmitting speeches, live or recorded. The loud speakers shall not be used to transmit music or songs. The loud speakers shall be used only between 6.00 AM and 9.00 PM. The Police/Magistrates are authorized to seize the offending equipment if any body violates the same. The political parties and candidates shall endeavor to see that no disturbances caused in the vicinity of hospitals/School due to electioneering to avoid inconvenience to the patients/students.
24. A Public Servant shall remain absolutely impartial during the elections and he shall not indulge in any campaigning activity for or against any contesting candidate or political party.
25. A Public Servant shall not participate or accompany the Minister/MLA in any programme, organized at an individual's house for which the Minister has accepted the invitation during his election tour.
26. While granting permission for organizing an Election Meeting at a Public place, no distinction should be made between the candidates or the political parties. In case more than one candidate or party requests for holding meeting at the same place and the same date and time, the permission should be granted to such candidate or party who applies first.
27. Public places such as maidens etc. for holding election meetings and use of helipad for air rights and parking of vehicles in connection with elections shall not be monopolized by party in power. Other parties and candidates shall be allowed to use such places and facilities on the same terms and conditions on which they are used by the party in power.

28. Use of rest houses, circuit houses and other Government accommodation should be permitted to all the candidates and the political parties on the same terms and conditions on which it is permissible for party in power. However, no candidate or party should be allowed to use such building or its campus for the purpose of election propaganda.
29. No contesting candidate, who is in-charge of, or is in any manner connected with, the management of an aided educational institution, or any other institution receiving aid from the State or Central Government, shall, misuse the buildings, infrastructure, staff, funds or vehicles belonging to such institution for furthering his/her electoral prospects.
30. Ordinarily, all meetings organized during election should be treated as election meetings and no Government money should be spent on them. No Government servant should attend any such meeting except those who are in-charge of maintenance of law and order or those deployed for security duties.
 - (i) If a Minister /MLA/Chairpersons of ZP/AS/GP/ZPM/ASM undertakes a tour of any area of a District where elections are taking place, such tour shall be deemed to be an election tour and no Government servant, except those who are deployed for security purposes, shall accompany the Minister/MLA/Chairpersons of ZP/AS/GP/ASM/ZPM.
31. The Ministers/MLA/Chairpersons of ZP/AS/GP&ZPM/ASM shall not combine their official visit with electioneering work and shall not make use of official machinery and personnel or other Government resources including Government vehicle for furtherance of interests of any candidate.
32. Ministers and other authorities shall not sanction any grant or subsidy out of State funds, where the beneficiaries are selectively identified and the grant or subsidy is not general in nature, from the time elections are announced till the date of announcement of results in any area where the elections are to take place. They should not sanction any new scheme or make an announcement of such new schemes. Laying of foundation stones or opening of any scheme or project shall not be done during the period of election.
33. From the time the elections are announced by the State Election Commission Ministers and other authorities shall not :-

- (a) Make any ad-hoc appointments in Government, Public undertakings etc. which may have the effect of influencing voters in favour of the party in power.
 - (b) Make any promise of construction of roads, provision of drinking water facilities etc.
34. Ministers of Central or State Governments and MLAs/Chairpersons of ZP/AS/GP/ZPM shall not enter any polling station or place of counting except in their capacity as a candidate or voter or authorized agent.
35. Issue of advertisement at the cost of public exchequer in the news paper and other media during the election period for partisan coverage intended to furthering the prospects of the party in power shall be scrupulously avoided.
36. The violation of these provisions is punishable under various laws.
37. The District Election Authority, Deputy District Election Authority, Additional District Election Authority/Magistrates and the Police are authorized to initiate prosecution against violators of this Code before the Competent Courts under intimation to the State Election Commissioner.
38. Only persons with a specific valid authority letter from the Election Commission/DEO/RO can enter any polling booth at any time. No functionary, however highly placed (e.g. Chief Minister, MP, MLA Etc.) is exempted from this.
39. Ongoing programmes may continue.
40. The clarification/approval of the Arunachal State Election Commission should be obtained in case of any doubt.
41. Relief & Rehabilitation measures to the people in areas affected by flood, drought, pestilence and other natural calamities should commence and continue.

(J.M. Tangu)

**STATE ELECTION COMMISSIONER
ARUNACHAL PRADESH, ITANAGAR**